



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: B. Arlen Young

Assignee: Adaptec, Inc.

Title: A HARDWARE I/O CONTROL BLOCK STRUCTURE FOR
MIRRORED AND NON-MIRRORED DATA TRANSFERS (AS
AMENDED)

Serial No.: 10/779,417

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Examiner: Tanh Q. Nguyen

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

**TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT INCLUDING STATEMENT UNDER 37 CFR 3.73(b)**

Sir:

The owner, Adaptec, Inc., a Delaware corporation, having a place of business at 801 South Milpitas Blvd., Milpitas, CA 95035, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,701,385. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the

prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned (whose title is supplied below) represents that he is a representative authorized to act on behalf of the owner.

The owner states that it is the assignee of the entire right, title, and interest in the instant application by virtue of an Assignment from the inventor(s) of the instant application to Adaptec, Inc. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame 012516/0801.

The owner also states that it is the assignee of the entire right, title, and interest in the prior U.S. Patent No. 6,701,385 by virtue of an Assignment from the inventor(s) of the prior patent to Adaptec, Inc. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame 012516/0801.

The undersigned hereby declares that all statements made herein of her/his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FEBRUARY 10, 2005

Date

Signature

Marshall Mohr
Vice President and CFO
Adaptec, Inc.

GUNNISON, MCKAY &
HODGSON, LLP.
Garden West Office Plaza
Suite 200
1900 Garden Road
Monterey, CA 93940
(831) 655-0880
FAX (831) 655-0888